

**EXHIBIT B**

**Declaration of Philip J. Gund**

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF DELAWARE**

In re:

AMYRIS, INC., *et al.*,

Debtors.<sup>1</sup>

Chapter 11

Case No. 23-11131 (TMH)

(Jointly Administered)

**DECLARATION OF PHILIP J. GUND  
IN SUPPORT OF THE DEBTORS' APPLICATION FOR ENTRY  
OF AN ORDER (I) AUTHORIZING THE DEBTORS TO EMPLOY AND RETAIN  
ANKURA CONSULTING GROUP, LLC TO PROVIDE THE DEBTORS A CHIEF  
RESTRUCTURING OFFICER, (II) DESIGNATING PHILIP J. GUND AS CHIEF  
RESTRUCTURING OFFICER FOR THE DEBTORS EFFECTIVE AS OF THE  
PETITION DATE, AND (III) GRANTING RELATED RELIEF**

I, Philip J. Gund, declare under penalty of perjury as follows:

1. I am a Senior Managing Director with Ankura Consulting Group, LLC (together with its wholly owned subsidiaries, agents, independent contractors, and employees "Ankura" or the "Firm"), a financial advisory services firm with numerous offices throughout the country, and am duly authorized to make this declaration (the "Declaration") on behalf of Ankura in support of the *Debtors' Application for Entry of an Order (I) Authorizing the Debtors to Employ and Retain Ankura Consulting Group, LLC to Provide the Debtors a Chief Restructuring Officer, (II) Designate Philip J. Gund as Chief Restructuring Officer for the Debtors Effective as of the Petition Date, and (III) Granting Related Relief* (the "Application")<sup>2</sup> on the terms and conditions

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<sup>1</sup> A complete list of each of the Debtors in these Chapter 11 Cases may be obtained on the website of the Debtors' claims and noticing agent at <https://cases.stretto.com/Amyris>. The location of Debtor Amyris Inc.'s principal place of business and the Debtors' service address in these Chapter 11 Cases is 5885 Hollis Street, Suite 100, Emeryville, CA 94608.

<sup>2</sup> Capitalized terms used but not otherwise defined herein shall have the meaning ascribed to such terms in the Application.

set forth in the Application and the Engagement Letter. Except as otherwise noted, I have personal knowledge of the matters set forth herein.<sup>3</sup>

### ANKURA'S QUALIFICATIONS

2. On August 9, 2023, Ankura was engaged to provide interim consulting services in connection with a potential restructuring. Mr. Gund is intimately familiar with the Debtors' business and are well-qualified to act on the Debtors' behalf given their extensive knowledge and expertise with respect to chapter 11 proceedings.

3. Ankura is a business advisory and expert services firm whose professionals have significant experience in providing bankruptcy crisis management and consulting, and special financial advisory services. Ankura has provided strategic advice to debtors in numerous chapter 11 cases of similar size and complexity as these Chapter 11 Cases. Ankura and its professionals have provided restructuring or crisis management services in numerous bankruptcy cases, including: *In re Country Fresh Holding Co.*, No. 21-30574 (MI) (Bankr. S.D. Tex. Mar. 31, 2021); *In re Intelsat S.A.*, No. 20-32299 (KLP) (Bankr. E.D. Va. 2020); *In re Brooks Brothers Grp., Inc.*, No. 20-11785 (CSS) (Bankr. D. Del. 2020); *In re Exide Holdings, Inc.*, No. 20-11157 (CSS) (Bankr. D. Del. May 19, 2020); *In re Elk Petroleum, Inc.*, No. 19- 11157 (LSS) (Bankr. D. Del. 2019); *In re MTE Holdings LLC*, No. 19-12269 (CTG) (Bankr. D. Del. 2019); *In re High Ridge Brands Co.*, No. 19-12689 (BLS) (Bankr. D. Del. Dec. 18, 2019); *In re Emerge Energy Services LP*, No. 19-11563 (KBO) (Bankr. D. Del. Dec. 18, 2019); *In re Fallbrook Techs. Inc.*, No. 18-10384 (MFW) (Bankr. D. Del. Feb. 26, 2018); *In re Payless Holdings LLC*, No. 19-40883-659 (Bankr. E.D. Mo. Feb. 18, 2019); *In re Model Reorg Acquisition, LLC*, No. 17-11794 (CSS)

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<sup>3</sup> Certain of the disclosures herein relate to matters within the personal knowledge of other professionals at Ankura and are based on information provided by such professionals.

(Bankr. D. Del. 2017); *In re Last Call Guarantor, LLC*, No. 16-11844 (KG) (Bankr. D. Del. Sept. 2, 2016); *In re SynCardia Systems, Inc.*, No. 16-11599 (MFW) (Bankr. D. Del. Aug. 1, 2016); *In re SunEdison, Inc.*, No. 16-10992 (SMB) (Bankr. S.D.N.Y. Aug. 11, 2016); *In re C. Wonder LLC*, No. 16-11127 (MBK) (Bankr. D.N.J. Jan. 28, 2015); *In re The SCOOTER Store Holdings, Inc.*, No. 13-10904 (LSS) (Bankr. D. Del. April 15, 2013); *In re Vivaro Corp.*, No. 12-13810 (MG) (Bankr. S.D.N.Y. Sept. 5, 2012); *In re Am. Commercial Lines LLC*, No. 03-90305 (Bankr. S.D. Ind. 2003) (Philip J. Gund).

4. Ankura specializes in interim management, restructuring advisory, turnaround consulting, operational due diligence, creditor advisory services, and performance improvement. Ankura's debtor advisory services have included a wide range of activities targeted at stabilizing and improving a company's financial position, including developing or validating forecasts, business plans, and related assessments of a business's strategic position; monitoring and managing cash, cash flow, and supplier relationships; assessing and recommending cost reduction strategies; and designing and negotiating financial restructuring packages.

5. I have the requisite experience to serve as the Debtors' Chief Restructuring Officer ("CRO"). I have more than 30 years of experience advising the boards of directors and senior management of troubled companies and creditor constituencies in both operational and financial restructurings, providing interim management services to both non-distressed and distressed companies and acting as liquidating trustee for liquidation trusts. I have worked in a wide variety of industries including marine transportation, marine construction, automotive parts, healthcare, hotel development and management, retail, co-op purchasing and distribution, daily publications, printing, import/export, real estate and construction, specialty chemicals, coke and electrode production, alternative energy development, construction and management, telecommunications, golf courses and practice facilities, family entertainment centers, and

manufacturing and wholesale distribution. Over the course of my career, I have performed an array of restructuring advisory and consulting services for a variety of different types of companies, and I have a deep understanding of the economic, regulatory, operational, strategic, and financial factors that drive businesses operating in chapter 11. My prior experience includes a wide range of services and activities targeted at restructuring, stabilizing, and improving a company's financial position, including: (a) developing and implementing business plans; (b) developing and executing turnaround strategies; (c) planning and implementing financial and operational restructurings and debt reorganizations; (d) financial modeling; (e) managing negotiations with stakeholders; (f) forensic accounting; and (g) stabilizing business and liquidity.

#### **SCOPE OF SERVICES**

6. Subject to approval by the Court, Ankura will be retained by the Debtors to provide the CRO on the terms and conditions set forth in the engagement letter dated August 9, 2023 and attached to the Application as **Exhibit C** (the "Engagement Letter") and any order granting the Application.

#### **DISINTERESTEDNESS AND ELIGIBILITY**

7. Ankura uses certain procedures (the "Firm Procedures") to determine the Firm's relationships, if any, to parties that may have a connection to any of the Debtors in the Chapter 11 Cases. In implementing the Firm Procedures, the following actions were taken to identify parties that may have connections to the Debtors, and Ankura's relationship with such parties:

- a. Ankura requested and obtained from the Debtors extensive lists of interested parties and significant creditors (the "Potential Parties-in-

Interest”).<sup>4</sup> The list of Potential Parties-in-Interest that Ankura reviewed is annexed hereto as **Exhibit 1**. The Potential Parties-in-Interest reviewed include, among others, the Debtors and non-Debtor affiliates, current and former officers, bankruptcy professionals, judges for the United States Bankruptcy Court for the District of Delaware, banks, lenders, contract counterparties, governmental/regulatory agencies, insurance carriers, landlords, parties to significant actual or known litigation with Debtors/adverse parties, the Debtors’ top 30 creditors, U.S. Trustee personnel for the District of Delaware, utility providers, and vendors.

- b. Ankura then compared the names of each of the Potential Parties-in-Interest to the names in its master electronic database of the Ankura Entities’ clients and vendors (the “Database”).<sup>5</sup> For clients, the Database generally includes the name of each client of the Ankura Entities, the name of each party that has, or had, a substantial role with regard to the subject matter of the Ankura Entity’s retention, and the names of the Ankura Entity professionals who are, or were, primarily responsible for matters for such clients. For vendors, the Database generally includes the name of the vendor.
- c. An email was sent to all of the Ankura Entities’ Senior Managing Directors, Managing Directors, and all Turnaround & Restructuring practice professionals requesting disclosure of information regarding: (i) any known personal connections between the respondent or the Ankura Entities on the one hand, and the Potential Parties-in-Interest, on the other hand,<sup>6</sup> (ii) any known connections or representation by the respondent or the Firm of any of those Potential Parties-in-Interest in matters relating to the

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<sup>4</sup> As may be necessary, Ankura will supplement the Declaration if additional Potential Parties-in-Interest are provided to it and Ankura becomes aware of any relationship that may adversely affect Ankura’s retention in the Chapter 11 Cases or would otherwise require disclosure.

<sup>5</sup> Ankura is affiliated with certain other Ankura-branded entities, including its affiliates, subsidiaries, and parent entities, which entities are managed by the same executive team (such entities, the “Ankura Entities”). The Database maintained by the Ankura Entities includes information for all of the Ankura Entities. For companies and businesses acquired by any Ankura Entity, the Database captures engagements that were active at the time of such acquisition, as well as any post-acquisition engagements. Otherwise, the Database includes all clients and vendors of the Ankura Entities since Ankura’s inception. The Ankura Entities include a trust company (Ankura Trust Company, LLC) and a broker-dealer (Ankura Capital Advisors, LLC). Neither of these entities hold or trade securities for their own account and, as with the other Ankura Entities, the clients of the trust company and broker-dealer entities are included in the Database.

<sup>6</sup> In reviewing its records and the relationships of its professionals, Ankura did not seek information as to whether any Ankura Entity professional or member of such professional’s immediate family: (a) indirectly owns, through a public mutual fund or through partnerships in which certain Ankura Entity professionals have invested but as to which such professionals have no control over or knowledge of investment decisions, securities of the Debtors, or any other party-in-interest; or (b) has engaged in any ordinary course consumer transaction with any party-in-interest. If any such relationship does exist, I do not believe it would impact Ankura’s disinterestedness or otherwise give rise to a finding that Ankura holds or represents an interest adverse to the Debtors’ estates.

Debtors; and (iii) any other conflict or reason why Ankura may be unable to represent the Debtors.

- d. Known connections between former or recent clients and vendors of the Ankura Entities and the Potential Parties-in-Interest were compiled for purposes of preparing this Declaration. These connections are listed in **Exhibit 2** annexed hereto.

8. To provide further detail on the Database and the Firm Procedures, I note that Ankura is a portfolio company of private funds affiliated with Madison Dearborn Partners, LLC (“MDP” and such funds together with MDP, the “MDP Entities”). As such, the Firm Procedures include a review of MDP and its affiliated funds that have an ownership interest in Ankura, as well as MDP’s other portfolio companies (the “Portfolio Companies”) to determine if such entities appear on the list of Potential Parties-in-Interest.

9. The Portfolio Companies are under separate managerial control from the Ankura Entities and do not share any internal systems with any Ankura Entity. The Ankura Entities have no ability to access the Portfolio Companies’ or MDP Entities’ systems or confidential information,<sup>7</sup> nor do the Portfolio Companies<sup>8</sup> or the MDP Entities have the ability to access the Ankura Entities’ systems or confidential information. Certain MDP personnel serve as members of the Ankura Entities’ board of directors (the “MDP Directors”), and the MDP Directors serve on boards of directors for certain of the Portfolio Companies. However, the MDP Directors are subject to confidentiality obligations and fiduciary duties, which prohibit and prevent the sharing of confidential information between companies for which they have board of director

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<sup>7</sup> To the extent that an Ankura Entity is engaged by another MDP portfolio company to perform services for such company, the Ankura Entities will have access to information from such company applicable to the work being performed. Such information will be subject to confidentiality agreements.

<sup>8</sup> NFP Corp., another portfolio company of MDP, serves as the Ankura Entities’ insurance broker. In connection therewith, NFP Corp. has access to certain Ankura Entity information. Such information is shared pursuant to a confidentiality agreement.

responsibilities. Despite the separation between the Ankura Entities and the Portfolio Companies, the Portfolio Companies and MDP Entities are included in the Database and are reviewed as part of the Firm Procedures. Any connections to the Potential Parties-in-Interest are disclosed on **Exhibit 2.**<sup>9</sup>

10. HPS Investment Partners, LLC (“HPS”), through certain investment funds, has a minority, non-controlling interest in Ankura. The Database therefore includes HPS and the above-referenced investment funds, and any connections to the Potential Parties-in-Interest are disclosed on **Exhibit 2.** HPS has one board seat and one board observer seat on the Ankura Entities’ board of directors. These board participants are subject to confidentiality obligations and fiduciary duties, and information walls exist to prevent the sharing of confidential information among HPS’s investments. Further, the Ankura Entities have no access to HPS’s or its investments’ systems or confidential information. As such, while HPS is included in the Database and reviewed as part of the Firm Procedures, HPS’s affiliates and the entities in which they invest are not.<sup>10</sup>

11. As a result of the Firm Procedures, I have thus far ascertained that, except as may be set forth herein, upon information and belief, if retained, Ankura:

- a. is not a creditor of the Debtors (including by reason of unpaid fees for prepetition services) or an equity security holder of the Debtors;

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<sup>9</sup> MDP may have other funds that do not have an ownership interest in the Ankura Entities. As these potential other funds are not connected to the Ankura Entities and the Ankura Entities have no access to non-public information related to such potential funds, these potential funds are not part of the Database and Firm Procedures. Similarly, MDP may use certain non-operating holding companies to hold the equity of the Portfolio Companies (“HoldCos”). Information regarding such HoldCos is not shared with the Ankura Entities, and the Ankura Entities have no access to systems or confidential information related to such HoldCos. As such, these HoldCos are not part of the Database or Firm Procedures. However, as noted above, all Portfolio Companies are part of the Database and Firm Procedures, regardless of ownership structure.

<sup>10</sup> The Northwestern Mutual Life Insurance Company and an affiliate thereof (together, “Northwestern”) own less than two percent of the Ankura Entities’ equity. Northwestern has no board seats or ability to control the activities of the Ankura Entities.



- b. is not, and has not been, within two years before the Petition Date, a director, officer (other than by virtue of Ankura employees serving in the roles as Engagement Personnel (pre- and post-petition) as described in the Application), or an employee of the Debtors; and
- c. does not have an interest materially adverse to the interests of the Debtors' estates, or of any class of creditors or equity security holders, by reason of any direct or indirect relationship to, connection with, or interest in, the Debtors, or for any other reason.

12. Further, as part of its diverse practice, the Ankura Entities appear in numerous cases and proceedings, and they participate in transactions that involve many different professionals, including attorneys, accountants, and financial consultants, who represent claimants and parties in interest in the Chapter 11 Cases. Further, the Ankura Entities performed in the past, and may perform in the future, advisory consulting services for various attorneys and law firms, and the Ankura Entities have been represented by several attorneys and law firms, some of whom may be involved in these proceedings. Based on our current knowledge of the professionals involved, and to the best of my knowledge, none of these relationships create interests materially adverse to the Debtors in matters upon which Ankura is to be employed, and none are in connection with the Chapter 11 Cases.

13. Accordingly, except as otherwise set forth herein, insofar as I have been able to determine, neither I nor Ankura hold or represent any interest adverse to the Debtors or their estates, and Ankura is a "disinterested person" as that term is defined in section 101(14) of the Bankruptcy Code, as modified by section 1107(b) of the Bankruptcy Code.

14. If additional Potential Parties-in-Interest are provided to Ankura and any new material relevant facts or relationships are discovered or identified, Ankura will promptly file a supplemental declaration.

15. To the best of my knowledge: (i) no commitments have been made or received by Ankura with respect to compensation or payment in connection with the Chapter 11

Cases other than in accordance with the Engagement Letter, the Application, and the applicable provisions of the Bankruptcy Code and the Bankruptcy Rules; and (ii) Ankura has no agreement with any other entity to share with such entity any compensation received by Ankura in connection with the Chapter 11 Cases.

16. By reason of the foregoing, I believe that Ankura is eligible for retention by the Debtors pursuant to sections 105(a) and 363(b) of the Bankruptcy Code and the applicable Bankruptcy Rules and Local Rules.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge and belief.

Dated: August 24, 2023

/s/ Philip J. Gund

PHILIP J. GUND

Senior Managing Director

Ankura Consulting Group, LLC

**EXHIBIT 1**

**Potentially Interested Parties Reviewed**

NAME	TYPE
Foris,Ventures,LLC	5% or More Equity Holders
Chief Judge Laurie Selber Silverstein	Bankruptcy Judges
Judge Ashely M. Chan	Bankruptcy Judges
Judge Brendan L. Shannon	Bankruptcy Judges
Judge Craig T. Goldblatt	Bankruptcy Judges
Judge J. Kate Stickles	Bankruptcy Judges
Judge John T. Dorsey	Bankruptcy Judges
Judge Karen B. Owens	Bankruptcy Judges
Judge Mary F. Walrath	Bankruptcy Judges
Judge Thomas M. Horan	Bankruptcy Judges
Fenwick & West LLP	Bankruptcy Professionals
Goodwin Procter LLP	Bankruptcy Professionals
Latham & Watkins	Bankruptcy Professionals
Pachulski Stang Ziehl & Jones LLP	Bankruptcy Professionals
Paul Hastings	Bankruptcy Professionals
PwC	Bankruptcy Professionals
Stretto	Bankruptcy Professionals
Klee Tuchin Bogdanoff & Stern LLP	Bankruptcy Professionals
Bank of the West	Banks
Barclays	Banks
HSBC	Banks
J.P. Morgan SE	Banks
JPMorgan Chase Bank, N.A.	Banks
US Bank	Banks
U.S. Bank National Association, as Trustee for Convertible Notes	Bondholders - Indenture Trustee
AB Technologies LLC	Debtor or Debtor affiliate
Accessbio LLC	Debtor or Debtor affiliate
AMF Low Carbon, LLC	Debtor or Debtor affiliate
Amyris Bio Products Portugal, Unipessoal, Lda	Debtor or Debtor affiliate
Amyris Biotecnologia do Brasil Ltda	Debtor or Debtor affiliate
Amyris Clean Beauty Latam	Debtor or Debtor affiliate
Amyris Clean Beauty, Inc.	Debtor or Debtor affiliate
Amyris Eco-Fab LLC	Debtor or Debtor affiliate
Amyris Europe Trading B.V.	Debtor or Debtor affiliate
Amyris Fermentacao de Performance Ltda	Debtor or Debtor affiliate
Amyris Fuels, LLC	Debtor or Debtor affiliate
Amyris Purificacao de Performance do Brasil Ltda	Debtor or Debtor affiliate
Amyris Realsweet, LLC	Debtor or Debtor affiliate
Amyris UK Trading Limited	Debtor or Debtor affiliate
Amyris, Inc.	Debtor or Debtor affiliate
Amyris-Olika, LLC	Debtor or Debtor affiliate
Aprinova, LLC	Debtor or Debtor affiliate
Beauty Labs International Limited	Debtor or Debtor affiliate
Clean Beauty 4U LLC	Debtor or Debtor affiliate
Clean Beauty Collaborative, Inc.	Debtor or Debtor affiliate
DIPA Co., LLC	Debtor or Debtor affiliate
Ecofab, LLC	Debtor or Debtor affiliate
Interfaces Industria e Comercio de Cosméticos Ltda	Debtor or Debtor affiliate
MG Empower Limited	Debtor or Debtor affiliate

Novvi LLC	Debtor or Debtor affiliate
Onda Beauty Inc.	Debtor or Debtor affiliate
Total Amyris Biosolutions BV	Debtor or Debtor affiliate
Upland 1 LLC	Debtor or Debtor affiliate
Ana Dutra	Director (current)
Frank Kung	Director (current)
Geoffrey Duyk	Director (current)
Jim McCann	Director (current)
John Doerr	Director (current)
Julie Washington	Director (current)
Lisa Qi	Director (current)
Philip Eykerman	Director (former)
Patrick Yang	Director (former)
Ryan Panchadsaram	Director (current)
Steven Mills	Director (current)
M Freddie Reiss	Director (current)
Alexander MS, Ralph C.	Director (former)
Arnold Ph.D., Frances Hamilton	Director (former)
bin Khalifa Al Thani, Sheikh Abdullah	Director (former)
Blanch Ph.D., Harvey W.	Director (former)
Bohlmann Ph.D., Jörg	Director (former)
Boisseau, Philippe	Director (former)
Chua Ph.D., Nam-Hai	Director (former)
de Castro Reinach Ph.D., Fernando	Director (former)
de Oliveira Diniz, Paulo Sergio	Director (former)
Fenical, William H.	Director (former)
Georgiadis, Mary Margaret-Hastings	Director (former)
Goppelsroeder, Christoph G.	Director (former)
Heathcock Ph.D., Clayton H.	Director (former)
Keasling Ph.D., Jay D.	Director (former)
Levinson, Arthur D.	Director (former)
Martin Ph.D., Vincent	Director (former)
Melo, John G.	Director (former)
Newman, Jack D.	Director (former)
Ostrach J.D., Michael S.	Director (former)
Pichette, Patrick	Director (former)
Piwnica LLM, Carole Callebaut	Director (former)
Reiling, Kinkead Kinkead	Director (former)
Renninger Ph.D., Neil	Director (former)
Soares Portela, Mario Neutel	Director (former)
Williams, R. Neil	Director (former)
ACE American Insurance Company	Insurance
Everest Indemnity Insurance Company	Insurance
Federal Insurance Company	Insurance
Hiscox	Insurance
TDC National Assurance Company	Insurance
Travelers	Insurance
Underwriters at Lloyd's London	Insurance
3700 Highway 421 Owner LLC	Landlords
Design District Development Pa	Landlords
Emerystation Triangle, LLC	Landlords

ES East, LLC	Landlords
Holis R&D Associates	Landlords
Oak Plaza Associates (DEL), LLC	Landlords
Palm Beach Holdings 3940, LLC	Landlords
Park Wynwood LLC	Landlords
Anesma Group, LLC	Lenders
Anjo Ventures, LLC	Lenders
DSM Finance B.V.	Lenders
Foris Ventures, LLC	Lenders
Perrara Ventures, LLC	Lenders
Amyris, Inc. v. Lavvan, Inc.	Litigation
AO Representative Expense Fund, LLC,	Litigation
Austrade Inc.	Litigation
BaM Productions, Inc. v. Amyris Clean Beauty, Inc.	Litigation
Disruptional Ltd. and &Vest Beauty Labs LP v. Amyris, Inc.	Litigation
Ebates Performance Marketing Inc. dba Rakuten Rewards et al. v.	Litigation
IN RE AMYRIS, INC. Stockholder Derivative Litigation (Other Defendants: Melo, Doerr, Kung, Duyk, Mills and former D&Os)	Litigation
Jasmina Samardzic v. Amyris, Inc.	Litigation
Keith Jordan Bronsdon v. Amyris, Inc.	Litigation
Lavvan Inc. v. Amyris, Inc.	Litigation
Little Bear Studios v. Amyris Clean Beauty et al.	Litigation
Park Wynwood, LLC v. Amyris, Inc.	Litigation
PMG Worldwide LLC v. Amyris Clean Beauty, Inc	Litigation
Reid Architecture PLLC v. Amyris, Inc.	Litigation
Roth v. Foris Ventures, LLC et al.	Litigation
Strukmyer, LLC v. Amyris Clean Beauty, Inc.	Litigation
Velem LLC v. Amyris Clean Beauty, Inc.	Litigation
Wilkins Media, LLC, v. Amyris, Inc.	Litigation
Ziegelman et al. v. Amyris, Inc.	Litigation
Alvarez, Eduardo	Officer (current)
Dreyer CPA, Elizabeth E.	Officer (current)
Kieftenbeld, Hermanus	Officer (current)
Hughes, Anthony	Officer (former)
Kelsey, Nicole	Officer (former)
Melo, John G.	Officer (former)
Valiassek, Kathleen	Officer (former)
Accell Global Risk Solutions, Inc.	Ordinary Course Professionals
Accenture LLP	Ordinary Course Professionals
CFGH Holdings, LLC	Ordinary Course Professionals
Clark & Elbing LLP	Ordinary Course Professionals
Cowen & Company LLC	Ordinary Course Professionals
Deloitte Tax LLP	Ordinary Course Professionals
Duff & Phelps LLC	Ordinary Course Professionals
Global Retirement Partners, LLC	Ordinary Course Professionals
Hanson Bridgett LLP	Ordinary Course Professionals
Hulst & Handler LLP	Ordinary Course Professionals
Macias Gini & O'Connell LLP	Ordinary Course Professionals
Michael Herrinton	Ordinary Course Professionals

Oppenheimer & Co. Inc.	Ordinary Course Professionals
Shipman & Goodwin LLP	Ordinary Course Professionals
Squire Patton Boggs	Ordinary Course Professionals
Deloitte Consulting, LLP	Other Professionals
Fish & Richardson P.C.	Other Professionals
Gibson, Dunn & Crutcher LLP	Other Professionals
Macias Gini & O'Connell LLP	Other Professionals
Shearman & Sterling LLP	Other Professionals
US Environmental Protection Agency	Government/Regulatory Agencies
DEA	Government/Regulatory Agencies
Department of Agriculture	Government/Regulatory Agencies
EPA	Government/Regulatory Agencies
FDA	Government/Regulatory Agencies
Alabama Department of Revenue	Taxing Authorities
Brunswick County Revenue Dept.	Taxing Authorities
California Department of Tax	Taxing Authorities
City of Emeryville	Taxing Authorities
DC Treasurer	Taxing Authorities
Delaware Secretary of State	Taxing Authorities
HMRC Birmingham Stamp Office	Taxing Authorities
Internal Revenue Service Center	Taxing Authorities
NCDOR	Taxing Authorities
New York State Corporation Tax	Taxing Authorities
North Carolina Dept of Revenue	Taxing Authorities
North Carolina Secretary of State	Taxing Authorities
NYC Department of Finance	Taxing Authorities
Oklahoma Tax Commission - Franchise	Taxing Authorities
Pinheironeto Advogados	Taxing Authorities
State of California Franchise Tax Board	Taxing Authorities
State of New Jersey	Taxing Authorities
Texas Comptroller of Public Accts	Taxing Authorities
The Commonwealth of Massachusetts	Taxing Authorities
United States Small Business Admin	Taxing Authorities
United States Treasury	Taxing Authorities
Wyoming Department of Revenue	Taxing Authorities
ADL BIOPHARMA	Trade Vendors
Agilent Technologies Inc	Trade Vendors
Allog Transportes Internaciona	Trade Vendors
Allure Labs, Inc.	Trade Vendors
Avalara, Inc.	Trade Vendors
Berma LLC DBA NoGood	Trade Vendors
Bio Base Europe Pilot Plant	Trade Vendors
Capsum Inc.	Trade Vendors
CFGH Holdings, LLC	Trade Vendors
Cigna HealthCare	Trade Vendors
Colorado Quality Products, LLC	Trade Vendors
Cosmetix West	Trade Vendors
CPCneutek	Trade Vendors
DB Ventures Limited	Trade Vendors
DSM Nutritional Products Ltd	Trade Vendors
ECS Axxess Point LLC	Trade Vendors

Evonik Corporation	Trade Vendors
Facebook, Inc.	Trade Vendors
Folio3 Software Inc	Trade Vendors
Fusion Packaging, LLC	Trade Vendors
Global4PL Supply Chain Services	Trade Vendors
Hanft Ideas LLC	Trade Vendors
Hearst Magazine Media	Trade Vendors
JVN Entertainment INC	Trade Vendors
Little Bear Studios	Trade Vendors
Mass Construction Corporation	Trade Vendors
MuteSix, LLC	Trade Vendors
NB Ventures, Inc.	Trade Vendors
Nest-Filler USA	Trade Vendors
Outfront Media	Trade Vendors
PerkinElmer Informatics Inc.	Trade Vendors
Perpetua Labs, Inc.	Trade Vendors
Petty Cash Inc	Trade Vendors
Pinterest, Inc	Trade Vendors
PMG Worldwide, LLC	Trade Vendors
Quiet Logistics, Inc.	Trade Vendors
Rakuten Advertising	Trade Vendors
Renfield Manufacturing LLC	Trade Vendors
RR Donnelley & Sons Company	Trade Vendors
Sartorius Stedim North America	Trade Vendors
TargetCW	Trade Vendors
Todd Shemarya Artists, Inc.	Trade Vendors
Walmart Inc	Trade Vendors
Wiley Companies	Trade Vendors
Wisconsin BioProducts	Trade Vendors
World Wide Technology, LLC	Trade Vendors
Benjamin Hackman	U.S. Trustee Office
Christine Green	U.S. Trustee Office
Diane Giordano	U.S. Trustee Office
Dion Wynn	U.S. Trustee Office
Edith A. Serrano	U.S. Trustee Office
Hannah M. McCollum	U.S. Trustee Office
Holly Dice	U.S. Trustee Office
James R. O'Malley	U.S. Trustee Office
Jane Leamy	U.S. Trustee Office
Joseph Cudia	U.S. Trustee Office
Joseph McMahon	U.S. Trustee Office
Juliet Sarkessian	U.S. Trustee Office
Lauren Attix	U.S. Trustee Office
Linda Casey	U.S. Trustee Office
Linda Richenderfer	U.S. Trustee Office
Nyanquoi Jones	U.S. Trustee Office
Richard Schepacarter	U.S. Trustee Office
Rosa Sierra-Fox	U.S. Trustee Office
Shakima L. Dortch	U.S. Trustee Office
Timothy J. Fox, Jr.	U.S. Trustee Office
ACI FLORIDA POWER & LIGHT	Utilities



Advanced Chemical Transport Inc	Utilities
AT&T	Utilities
Brunswick County Public Utilities	Utilities
ConEdison	Utilities
Duke Energy	Utilities
East Bay Municipal Utility District	Utilities
GFL Environmental - Company	Utilities
M&M Sanitation Corporation	Utilities
NC Division of Waste Management	Utilities
Pacific Gas and Electric Company	Utilities
Piedmont Natural Gas	Utilities
Waste Management of Alameda County	Utilities
Waste Management of Alameda County	Utilities
Winters Bros Waste Systems	Utilities
U.S. Bank National Association, as Trustee for Convertible Notes	Top 30 Creditors
Palm beach Holdings 3940 LLC	Top 30 Creditors
Cosan US LLC	Top 30 Creditors
DB Ventures Ltd.	Top 30 Creditors
Epic W12 LLC	Top 30 Creditors
PMG Worldwide, LLC	Top 30 Creditors
Nikko Chemicals Co Ltd	Top 30 Creditors
Sartorius Stedim North America	Top 30 Creditors
Hearst Magazine Media	Top 30 Creditors
Wiley Companies	Top 30 Creditors
Park Wynwood, LLC	Top 30 Creditors
Allog Transportes Internaciona	Top 30 Creditors
Nest-Filler USA	Top 30 Creditors
ADL Biopharma	Top 30 Creditors
Cosmetix West	Top 30 Creditors
Evonik Corporation	Top 30 Creditors
Todd Shemarya Artists, Inc.	Top 30 Creditors
Allure Labs, Inc.	Top 30 Creditors
Shearman & Sterling LLP	Top 30 Creditors
Rakuten Advertising	Top 30 Creditors
ES East, LLC	Top 30 Creditors
Workday, Inc.	Top 30 Creditors
Nippon Surfactant Industries Co., Ltd (Nissa)	Top 30 Creditors
Gibson, Dunn & Crutcher LLP	Top 30 Creditors
Global4PL Supply Chain Services	Top 30 Creditors
Outfront Media	Top 30 Creditors
Northwest Comsmetics Labs	Top 30 Creditors
Muirisc, LLC	Lenders
Stewart Ward & Josephson LLP	Landlords
Shartsis Friese LLP	Landlords
Design District ERFR LLC & RFR Holding LLC	Landlords
TriStar Capital LLC	Landlords
McDermott Will & Emery LLP	Landlords
Weisman, Brodie, Starr & Margolies, P.A.	Landlords
Olshan Frome Wolosky LLP	Landlords
Design District Development Partners LLC	Landlords

Colliers International	Landlords
Calioppe Realty Associatees LLC	Landlords
Duane Ventures	Landlords
Chodosh Realty Services, Inc	Landlords
Flowing Water Creek, LLC	Landlords
CPI Hospitality LLC	Landlords
Epic W12 LLC	Landlords
Lachtman Cohen P.C	Landlords
Kaufman Friedman Plotnicki & Grun, LLP	Landlords
Crown Properties	Landlords
Larringa Sisters LLC	Landlords
Continental Real Estate Companies	Landlords
Goodwin Procter LLP	Lenders' Professionals
Troutman Pepper Hamilton Sanders LLP	Lenders' Professionals
Ankura	Bankruptcy Professionals
Phil Gund, Chief Restructuring Officer	Bankruptcy Professionals
Advanced Chemical Transport Inc	Utilities
AT&T Mobility LLC	Utilities
AT&T U-verse(SM)	Utilities
CloudWyze	Utilities
First Digital Communications, LLC	Utilities
Garratt-Callahan Company	Utilities
Linde Gas & Equipment Inc.	Utilities
Paxio Inc	Utilities
US Waste Industries, Inc.	Utilities
Verizon Wireless	Utilities
Deloitte Consulting, LLP	Ordinary Course Professionals
Fish & Richardson P.C.	Ordinary Course Professionals
Microsoft Corporation	Top 30 Creditors
Hollis R&D Associates	Top 30 Creditors
DSM USA	Top 30 Creditors

**EXHIBIT 2**

**Relationship Disclosures**

Entity	Current Client	Past Client	Vendor	Ankura's Professional Services Provider
Accenture LLP	X	X		
ACE American Insurance Company		X		
Amyris, Inc.	X	X		
AT&T	X	X	X	
AT&T Mobility LLC	X		X	
AT&T U-verse(SM)		X		
BANK OF THE WEST	X			
Barclays	X	X		
California Department of Tax			X	
Christine Green				
Chua Ph.D., Nam-Hai				
Cigna HealthCare	X	X	X	
Colliers International		X	X	
DC Treasurer			X	
Delaware Secretary of State			X	
Deloitte Consulting, LLP		X		
Deloitte Tax LLP		X		
Duke Energy	X			
Everest Indemnity Insurance Company	X			
Evonik Corporation		X		
Facebook, Inc.	X	X		
FDA		X		
Fenwick & West LLP		X		
Fish & Richardson P.C.	X	X		
Gibson, Dunn & Crutcher LLP	X	X		
Goodwin Procter LLP	X	X		
Hanson Bridgett LLP	X	X		
Hiscox		X		
HSBC	X	X	X	X
Internal Revenue Service Center			X	
J.P. MORGAN SE	X	X	X	X
JPMORGAN CHASE BANK, N.A.	X	X	X	X
Klee Tuchin Bogdanoff & Stern LLP		X		
Latham & Watkins	X	X	X	X
McDermott Will & Emery LLP	X	X	X	X
Microsoft Corporation	X	X	X	
North Carolina Secretary of State			X	
NYC Department of Finance			X	
Olshan Frome Wolosky LLP	X	X		

Paul Hastings	X	X		X
Pichette, Patrick	X			
Piedmont Natural Gas			X	
PwC	X	X	X	
RR Donnelley & Sons Company		X	X	
Shartsis Friese LLP		X		
Shearman & Sterling LLP	X	X	X	X
Shipman & Goodwin LLP		X		
Squire Patton Boggs	X	X		
State of California Franchise Tax Board			X	
State of New Jersey		X	X	
Texas Comptroller of Public Accts			X	
The Commonwealth of Massachusetts	X	X	X	
Timothy J. Fox, Jr.		X		
Travelers	X	X		
Troutman Pepper Hamilton Sanders LLP	X	X		
Underwriters at Lloyd's London		X		
US Bank	X	X	X	
Walmart Inc	X	X		
Workday, Inc.			X	